

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 04, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TRACEY BAUTISTA,

Plaintiff,

v.

EXPERIAN,

Defendant.

NO. 1:22-CV-3085-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

BEFORE THE COURT is Plaintiff's Complaint and the Clerk's Notice of Deficient Filing. ECF Nos. 1, 3. The Court has reviewed the record and files herein and is fully informed. For the reasons discussed below, this action is dismissed without prejudice.

On June 22, 2022, Plaintiff filed a *pro se* complaint against Experian under the Fair Credit Reporting Act, 15 U.S.C. § 1681, without payment of the mandatory filing fee or the filing of an application to proceed *in forma pauperis*. On that same date, Plaintiff was advised of this deficiency and was advised that the

1 case was subject to dismissal if the filing fee or appropriate application to proceed
2 *in forma pauperis* was not filed by July 6, 2022. ECF No. 3.

3 To date, Plaintiff has not complied with the filing fee or application to
4 proceed *in forma pauperis*.

5 Parties filing actions in the United States District Court are required to pay
6 filing fees. 28 U.S.C. § 1914(a). An action may proceed without the immediate
7 payment of a filing fee only upon granting of *in forma pauperis status*. See 28
8 U.S.C. § 1915. Failure to pay the statutory filing fee will result in dismissal of the
9 action without prejudice. See *Olivares v. Marshall*, 59 F.3d 109, 112 (9th Cir.
10 1995) (district court has authority to dismiss without prejudice prisoner complaint
11 for failure to pay partial filing fee); *In re Perroton*, 958 F.2d 889, 890 (9th Cir.
12 1992) (affirming dismissal of appeal of *pro se* litigant for failure to pay required
13 filing fees).

14 **ACCORDINGLY, IT IS HEREBY ORDERED:**

15 This action is **DISMISSED without prejudice** for failing to pay the filing
16 fee or filing a properly completed Application to Proceed *In Forma Pauperis*
17 pursuant to 28 U.S.C. §§ 1914(a) and 1915(a).

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1 The District Court Executive is directed to enter this Order, enter judgment
2 accordingly, furnish a copy to Plaintiff at her address of record, and **CLOSE** the
3 file.

4 **DATED** August 4, 2022.



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Thomas O. Rice
THOMAS O. RICE
United States District Judge